

REMARKS

Claims 1, 3, 5 and 7-11 stand in the present application, claims 1, 7, 10 and 11 having been amended. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action, the Examiner has rejected claims 7-9 and 11 under 35 U.S.C. § 112, first and second paragraphs. As noted above, Applicants have amended claim 7 to correct the typographical error noted by the Examiner. Accordingly, the Examiner's § 112, first and second paragraph rejections of claims 7-9 and 11 are believed to have been overcome.

The Examiner has also rejected claims 10 and 11 under 35 U.S.C. § 112, second paragraph. As noted above, Applicants have amended claims 10 and 11 in order to correct the deficiency noted by the Examiner. More particularly, the claims have been amended to more clearly recite structure as opposed to merely a use of the structure. Accordingly, the Examiner's § 112, second paragraph, rejection of claims 10 and 11 is also believed to have been overcome.

The Examiner has also rejected claims 1, 3 and 5-11 under 35 U.S.C. § 103(a) as being unpatentable over Hamaguchi et al. in view of Abe et al. and Kotani et al. Applicants respectfully traverse the Examiner's § 103 rejection of the claims.

In rejecting the claims, the Examiner has relied upon a combination of references under 35 U.S.C. § 103, however, Applicants respectfully submit that the Examiner's combination of Kotani et al. with the other cited art is improper since those skilled in the art, absent the teachings of the present application, would not have been led to make

the combination at the time of Applicants' invention. More particularly, it is respectfully submitted that the Examiner's picking and choosing of features from three different references without any motivation to combine the references for those skilled in the art, absent the hindsight provided by the present application, is improper as will be explained in greater detail below.

There are significant differences between the honeycomb structural body of Applicants' invention which is used as a catalyst carrier, and the diesel particulates filter of Kotani et al. The honeycomb structural body of Applicants' invention comprises a plurality of cells having through-holes by providing partition walls in a honeycomb fashion. The honeycomb structural body acts as a catalyst carrier in that a catalyst is loaded onto the surfaces of the partition walls. Exhaust gas flowing within the cells is purified. To emphasize this distinction over the cited art, Applicants have amended independent claims 1 and 7 to recite that the claimed honeycomb structural body comprises a plurality of cells having through-holes.

On the other hand, the diesel particulates filter of Kotani et al. is alternately plugged in a checkerboard fashion at one end of the cells to form non-through holes, albeit that the filter includes a plurality of cells having partition walls in a honeycomb fashion. (See Kotani et al., column 4, lines 27-30). Accordingly, exhaust gas introduced from the alternately plugged end does not pass straight through the filter but rather impinges on partition walls by which the particulates are collected before being exhausted through the alternately plugged end opposite to the introduction end. The attached "Reference Drawing" to this Amendment highlights these differences between Kotani et al. and Applicants' invention.

Thus, the exhaust gas flow in Applicants' invention becomes a straight flow, while the exhaust gas flow in Kotani et al. becomes a wall flow. Accordingly, the structures and functions of Applicants' invention are quite different from those of Kotani et al.

Moreover, Kotani et al. fails to teach or suggest roughening the surface of partition walls so as to attain an excellent catalyst loading property, instead merely teaching roughening of the surface so as to improve filtration properties. (See Kotani et al. at column 3, lines 6-13).

Therefore, a person skilled in the art would not have been motivated to combine the roughening of the surface for filtration purposes as taught by Kotani et al. with Hamaguchi et al. and Abe et al. so as to attain an excellent catalyst loading property as described and claimed in the present application.

Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1, 3, 5 and 7-11, standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the

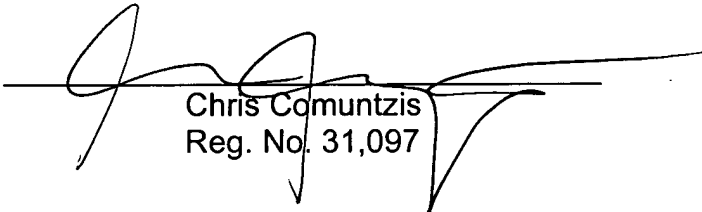
NISHIMURA et al.
Serial No. 09/444,298

Examiner is respectfully requested to contact the undersigned at the local
telephone exchange indicated below.

Respectfully submitted,

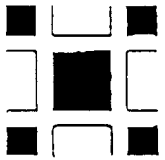
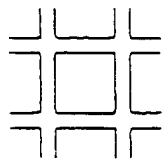
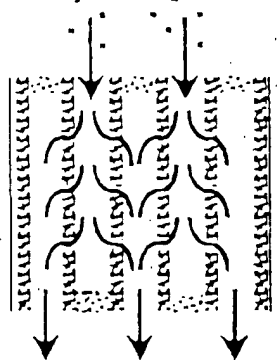
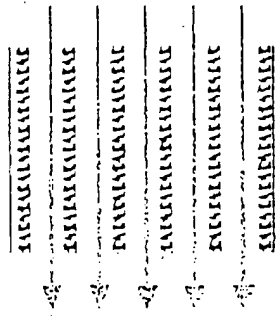
NIXON & VANDERHYE P.C.

By: _____


Chris Comuntzis
Reg. No. 31,097

CC:Imr
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Reference Drawing

	Diesel Particulates Filter	Honeycomb Structural Body (Catalyst Carrier)
End Structure	 <p>Alternately Plugged</p>	
Gas Flow	 <p>Gas Flow</p> <p>Wall Flow</p>	 <p>Straight Flow</p>